



New Jersey Department of Children and Families Policy Manual

Manual:	NJAC	NJ Administrative Code Excerpts	Effective Date:
Title	10	Human Services	
Chapter	120A	Dispute Resolution	12/9/2008
Subchapter:	2	General Provisions For Division Dispute Resolution And Administrative Hearings	
Section	7	Final agency decision (N.J.A.C. 10:120A-2.7)	

§10:120A-2.7 Final agency decision

(a) The final agency decision shall be binding on all parties concerned.

(b) For each agency decision, the Commissioner or designee shall:

1. Issue a final agency decision within 45 days of the conclusion of the dispositional review; or
2. If no material facts are in dispute, consider the case for a Motion for Summary Disposition.

(c) For each initial decision, the Commissioner or designee shall review the record and any exceptions submitted by any party and issue the final agency decision within 45 days of receipt of that initial decision of the administrative law judge in accordance with N.J.A.C. 1:1-18.4.

1. The Commissioner or designee shall inform the appellant that he or she can contact the Commissioner or designee to arrange an alternative means to submit exceptions, if the party cannot communicate in English or has a communication handicap. If the parties wish to take exception to the initial decision, such exception shall be submitted in writing to the Commissioner or designee, except where parties who are unable to communicate in English or have a communication handicap have made arrangements with the Commissioner or designee for alternative means for submitting their exception.

(d) The final agency decision shall be effective on the date it is rendered unless another effective date is designated.

(e) The Division shall maintain an official record of each dispositional review and each administrative hearing for at least one year after the date the final agency decision is rendered. During this one-year period, the appellant or his or her legal representative may review, upon appointment, all or any part of the official and complete record of the dispositional review or administrative hearing, except as restricted by N.J.A.C. 10:120A-2.9.

(f) The Division shall deliver the final agency decision to the appellant either by hand delivery or by sending a copy of the final agency decision to the current or last known address of the appellant and, where applicable, to counsel, no later than five business days following the rendering of the final agency decision.

(g) The Division shall take such steps as may be necessary to assure that the final agency decision is carried out.